Dear Dave,

11/10/90

When we spoke several days ago about your lengthy review/analysis of High Treason I forgot to ask you for a copy. I can give it to Jerry after I read it.

I believe that after I read the second book of Caro's LBJ trilogy, which was after the widespread criticism of it, I offered the opinion that those who were making the criticism were not defending Johnson as much as they were defending themselves and their own connections with him once he was in Washington. Much of the criticism was that Caro was unfair to Johnson in this second book. My own opinion was that it was a fair book, exhaustive in its detail, but that it lacked balance in its portrayal of Coke Stevenson in making of him more than he was and in that sense making Johnson look worse than he was.

These are very large books, about 900 pp in the first book. At page 180 of it Johnson is still in college. The portrait of him to this point is of a nasty, conniving, untrustworthy, selfish brown-noser.

I do not recall any criticisms of this first book by those who were so loud in their criticisms of the second book.

So, I think this confirms my belief that in their condemnations of the second book rather than defending LBJ they were defending themselves and their own participations in the Johnson administration and his political life before he ran for president.

I don't know what you've seen or heard about the taping of Noriega's conversations with his defense and others relating to his defense but I'll enclose the story in today's Post. The defense attributes the leaking to the Panamanian government, which got copies from the State Department, a spokesman for which denies that. Whatever the truth may be, it is obvious that the taping of such phone conversations is what at least in the recent past would have been considered an irremdial violation of Noriega's rights and make it impossible to try him. (Which, by the way, is an argument I made to Fensterwald for Ray's evidentiary hearing. He was reluctant, his then partner helped me persuade him, the partner prepared the papers and Bud did not use them. The equivalent did happen to Ray and it was orchestrated by the DJ and executed by the local authorities.) Noriega is quoted as saying he would involve Bush and others in his defense. So, we have the question, was this orchestrated by the government because it is that anxious not to have known what Noriega can say in his defense? I think this may well be true and that it would also involve the CIA.

What a situation there will be if the courts hold that he cannot now be tried!

What will they be able to do with him?

The Post and probably other papers are mostly interested in the prior-restraint aspects of the (now violated) judge's order not to broadcast the tapes until after CNN's appeal. But I think lawyers will be quite exercised if he is now tried.

Best,